

BILL NO. G-71-04-24

GENERAL ORDINANCE NO. G- 116-71

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a public alley in S. B. Bond's Amended Subdivision.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A petition for the vacation of a public alley by DUEMLING MEDICAL BUILDING, INC., having been filed with the Fort Wayne City Plan Commission, and a resolution having been duly adopted by the Fort Wayne City Plan Commission on March 22, 1971 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Statutes, 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public alley in Fort Wayne, Allen County, Indiana, to-wit:

Commencing at a point on the southwest corner of Lot No. 1 in S. B. Bond's Amended Subdivision, Fairfield Outlot 22 and part of Outlot 21 in the northeast 1/4 of the northwest 1/4 of Section 14, Township 30 North, Range 12 East in the City of Fort Wayne, Allen County, Indiana; thence north along the west line of Lots No. 1 and No. 2 in said S. B. Bond's Amended Subdivision a distance of 120.0 feet; thence west at a right angle to said line a distance of 12 feet; thence south at a right angle with the last described line and parallel with the first described line to a point 12 feet west of the southwest corner of said Lot No. 1 in S. B. Bond's Amended Subdivision; thence east 12 feet to the point of beginning.

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

APPROVED AS TO FORM
AND LEGALITY

CITY ATTORNEY

Herbert L. Dichter
Councilman

Read the first time in full and on motion by Tipton seconded by Robinson and duly adopted, read the second time by title and referred to the (Committee on) Regulations (and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on the _____ day of _____ 19____, at _____ o'clock _____ P.M., E.S.T.)

Date: 4-27-71

Freud G. Bonakoon
City Clerk

Read the third time in full and on motion by Tipton seconded by Robinson and duly adopted, placed on its passage.

Passed (~~lost~~) by the following vote:

AYES	<u>9</u>	NAYS	<u>0</u>	ABSTAINED	____	ABSENT	____	to-wit:
Adams	<u>✓</u>	____	____	____	____	____	____	
Dunifon	<u>✓</u>	____	____	____	____	____	____	
Fay	<u>✓</u>	____	____	____	____	____	____	
Geake	<u>✓</u>	____	____	____	____	____	____	
Nuckols	<u>✓</u>	____	____	____	____	____	____	
Robinson	<u>✓</u>	____	____	____	____	____	____	
Rousseau	<u>✓</u>	____	____	____	____	____	____	
Steigerwald	<u>✓</u>	____	____	____	____	____	____	
Tipton	<u>✓</u>	____	____	____	____	____	____	

Date: 6-22-71

Freud G. Bonakoon
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~) (General) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (~~Resolution~~) No. 2-116-71

on the 22nd day of May, 19 71.

ATTEST: (SEAL)

Freud G. Bonakoon
City Clerk

Phil W. Myers
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 22nd day of May, 19 71 at the hour of 8:30 o'clock A.M., E.S.T.

Freud G. Bonakoon
City Clerk

Approved and signed by me this 24th day of June, 19 71, at the hour of 10:32 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor

National Serv-All

1115½ S. CLINTON ST.
FORT WAYNE, INDIANA 46802

PHONE: 743-5216

PHONE: 422-0225

May 20, 1971

Jankowski & Schultz
Architects
6001 S. Anthony Blvd.
Fort Wayne, Indiana

RE: Duemling Clinic

Dear Mr. Schultz:

If alley adjacent to the new Duemling Clinic Building is vacated, this will in no way affect Mr. Meitz's garbage collection at 2810 Fairfield Avenue.

Sincerely yours,

Chuck Walbridge, Manager of
NATIONAL SERV-ALL, INC.

Elizabeth E. Marshall

Elizabeth E. Marshall,
ENVIRONMENTAL CONSULTANT of
NATIONAL SERV-ALL, INC.

1b

Herbert

Bill No. G-71-04-24

REPORT OF THE COMMITTEE ON REGULATIONS

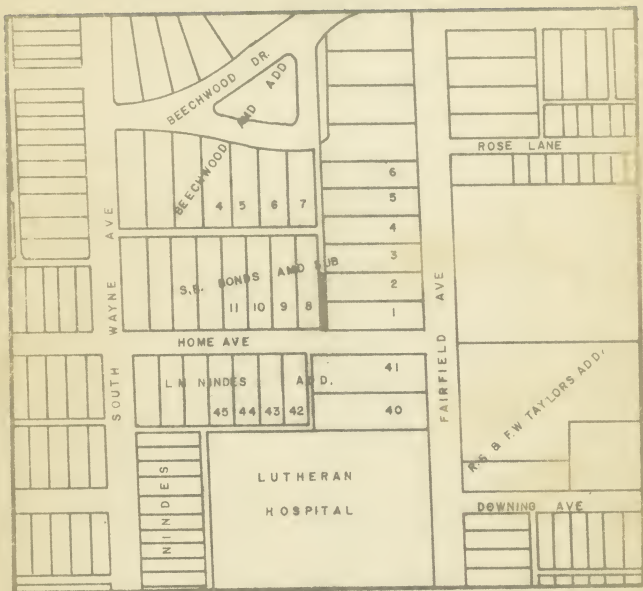
We, your Committee on Regulations to whom was referred an Ordinance
amending General Ordinance No. G-97 by authorizing the vacation of a public
alley in S. B. Bond's Amended Subdivision,

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance do PASS.

- HERBERT G. TIPTON, Chairman
- JACK K. DUNIFON, Vice-Chairman
- THOMAS G. ADAMS
- WILLIAM K. GEAKE
- JOHN H. ROBINSON

Herbert G. Tipton
Jack K. Dunifon
Thomas G. Adams
Wm K. Geake
John H. Robinson

CONCURRED IN
DATE 6-22-71 FUAD G. DONAHOO, CITY CLERK



PORTION OF ALLEY TO BE VACATED

PETITION TO DENY ALLEY VACATION

WHEREAS, proceedings have been instituted by Duemling Medical Building, Inc. to vacate the south 120 feet of the alley which runs in a north and south direction between Home Avenue and Beechwood Drive, and which is located 200 feet west of Fairfield Avenue, all in the City of Fort Wayne, Indiana.

WHEREAS, the undersigned are against the vacation of said 120 feet of said alley.

WHEREAS, the undersigned are owners of and living at the following addresses and are interested in protecting their rights and the rights of others in this area.

NOW, THEREFORE, we, the undersigned, hereby petition and request the City of Fort Wayne and its Common Council and Board of Public Works to deny the vacation of and refuse to vacate said 120 feet portion of said alley for the following and other reasons, to wit:

1. The rights of the undersigned and other residents of the area to use said alley as ingress and egress to and from Home Avenue, South Wayne Avenue and Beechwood Drive, would be denied, if said 120 feet portion of said alley was vacated.

2. The matter of collection and disposal of the garbage and trash of the two residences located on the east side of said alley and north of said 120 feet portion of said alley would be a continuous troublesome problem for said residences, said Common Council, said Board of Public Works, and the garbage and trash collection if said 120 feet portion of said alley was vacated.

3. The fire protection and police protection now provided for the residents in the city block surrounding said alley would be greatly reduced because of no ingress or egress to and from said alley by way of Home Avenue at said 120 feet of said alley.

Fort Wayne
Street Address

200214

Getunde 2. 2. 1890

2506 Fairfield Ave

June 1, 1970

Ernest H. Rogers

2802 Fairfeld Ave

June 3, 1971

Mr. Phil A. Steigerwald, President
Fort Wayne City Council
First Floor, City-County Bldg.
Fort Wayne, Indiana 46802

Dear Phil:

We understand a petition has been filed to close the south 120 feet of the alley between Home Avenue and Beechwood Drive.

No doubt our friends at the clinic have good reason to make such a petition. We understand they are hoping to erect a new clinic office building extending from near Fairfield Avenue to about 200 feet west of the alley. Presumably, a long, low building would be less costly than a higher building on their property east of the alley.

But it seems to us that consideration should be given to the long-suffering residents of Beechwood Amended Addition, who have seen their Class A subdivision hacked away, bit by bit, over the years. Note these incursions which have occurred during the past few years:

1. The Noll property was sold to a church which forthwith requested violation of the deep-set building line in order to erect a new sanctuary.
2. A church parking lot was established, facing on Beechwood Circle.
3. A nursing home was permitted, also, to violate not only the Grade A zoning, but the building line.
4. A doctor's office in a Fairfield Avenue residence near Pontiac was permitted to pave a parking lot facing the small park in Beechwood Addition.
5. The Crippled Children's School was permitted to do likewise. In this case, the slope of the ground was such that excess drainage could not be handled by the existing storm sewer. Flooded basements became the vogue on the south side of Beechwood Drive.

Mr. Phil A. Steigerwald
June 3, 1971
Page Two

6. The Crippled Children's School was permitted to set up an unsightly garbage can station without camouflage, placing it virtually in the front yards of the Beechwood residents.

7. When the Turtle Creek nursing home was built, utility lines were run in on huge poles, creating another unsightly situation.

8. When the Duemling Clinic purchased lots on Home Avenue, some of them were cleared and graded for parking, permitting excess drainage run-off onto Beechwood properties.

9. The Servall Garbage collection service has found it easier to come up the alley from South Wayne to the "T" between Home Avenue and Beechwood, and then back out to South Wayne rather than negotiate the utility pole complex at the "T". Several times these backing up trucks have run off the pavement, causing property damage to landscaping and fencing. We understand that Servall is assuring some of our neighbors that service will not be affected should the alley be closed. We suggest that it would be far more satisfactory to correct the utility pole situation at the "T", permitting the garbage trucks to turn out to Home Avenue, than to continue the unsatisfactory and hazardous back-up procedures. Who knows when some youngster may be hit by a retreating truck?

Now, Phil, the question can be boiled down to what further indignities and impairment to property values will Beechwood residents face in the future? Pedestrian traffic alone between Beechwood and Home Avenue seems to justify a strong position in favor of keeping the alley open. And certainly, Beechwood residents are entitled to some degree of protection.

Surely, there are more satisfactory ways to solve these problems.

Cordially,



Louis E. Wade

LEW/ph

P.S.: Have you examined the "T" alley recently? It is badly in need of re-surfacing.

LEW

Common Council-City of Ft. Wayne
(Governmental Unit)

To NEWS-SENT INEL

Allen

County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

-

107

1

108

COMPUTATION OF CHARGES

108 lines, columns wide equals equivalent lines at 288¢
cents per line 31.10

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

31.10

TOTAL AMOUNT OF CLAIM

DATA FOR COMPUTING COST

Width of single column passage and approval by the Mayor,
Herbert G. Tipton, Councilman,
Read the third time in full and on motion
of the Mayor, seconded by Robinson
and duly adopted, placed on its passage.
Passed by the following vote:
Ayes nine
Absents: Dunlap, Foy, Genko, Nichols,
Robinson, Rousseau, Stelgerwald, Tipton,
Voyt name

Size of type 5 1/2 point

Number of insert

Size of quad upon which type is cast 5 1/2

Pursuant to the provision and

I hereby certify that the foregoing is a true and correct copy of the original as filed with the City Clerk, and that no part of the same has been altered or changed in any manner.

that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been altered or changed in any manner.

Date July 10, 1971

Title Clerk

Notice is hereby given that on the 22nd day of June, 1971, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following General Ordinance, to-wit:

GENERAL ORDINANCE NO. G-116-71

AN ORDINANCE amending General Ordinance No. G-57 by authorizing the vacation of a public alley in S. B. Bond's Amended Subdivision.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A petition for the vacation of a public alley by DUEMLING MEDICAL BUILDING, INC., having been filed with the Fort Wayne City Plan Commission, and a resolution having been duly adopted by the Fort Wayne City Plan Commission on March 22, 1971, in accordance with Section 34, Chapter 17A, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Statutes, 1964 Replacement, Sec. 52744), the Theropshire Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by granting the following public alley in Fort Wayne, Allen County, Indiana, to-wit:

Commencing at a point on the south-west corner of Lot No. 1 in S. B. Bond's Amended Subdivision, Fairfield Subd. 22 and part of Quail 21 in the northeast 1/4 of the northwest 1/4 of Section 14, Township 36 North, Range 12 East in the City of Fort Wayne, Allen County, Indiana, thence north along the west line of Lot No. 1 and No. 2 in said S. B. Bond's Amended Subdivision a distance of 12.0 feet thence west at a right angle to said line a distance of 12.0 feet thence south at a right angle with the last described line and parallel with the first described line to a point 12 feet west of the south-west corner of said Lot No. 1 in S. B. Bond's Amended Subdivision thence east 12 feet to the point of beginning.

SECTION 2. After passage of this Ordinance, approval by the Mayor, and after publication of a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after

OP
HERE

NOTARY AFFIDAVIT

I, ss:

do hereby certify before me, a notary public in and for said county and state, the

A. M. Hostman who, being duly sworn, says

that the foregoing is a true and correct copy of the original as filed with the City Clerk, and that no part of the same has been altered or changed in any manner.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 24th day of June, 1971.

6-28-75. Fuad G. Banoohom, City Clerk.

newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy,

which was duly published in said paper for 2 time s, the dates of publication being

as follows: June 28, 1971

July 5, 1971

Subscribed and sworn to before me this 10th day of July, 1971

Edith Appleton

Notary Public

My commission expires March 8, 1974

Common Council City of Ft. Wayne
(Governmental Unit)

To.....NEWS-SENT INEL.....Dr.

Allen

County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

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Body number of lines

Tail number of lines

Total number of lines in notice

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107

1

108

COMPUTATION OF CHARGES

108 lines.....columns wide equals.....equivalent lines at 28¢.....
cents per line \$31.10

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$31.10

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date July 10, 1971

Title Clerk

Notice is hereby given that on the 10th day of July, 1971, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, passed and adopted the following Ordinance:

ORDINANCE
AN ORDINANCE to amend Ordinance No. 10-37 of a public amended subdivision of a public alley in the City of Fort Wayne, Indiana.

SECTION 1. A.
COUNCIL OF WAYNE, INDIANA: of a public alley CAL. BUILDING with the Fort Wayne, Indiana, and duly adopted by the Common Council of the City of Fort Wayne, Indiana, in accordance with Section 14, Chapter 172, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Statutes, 1964 Replacement, Sec. 53744), the Thorpeville Plan as set forth in General Ordinance No. 10-37 adopted by the Common Council of the City of Fort Wayne on November 30, 1963, is amended by deleting the following public alley in Fort Wayne, Allen County, Indiana, to-wit:

Commencing at a point on the south-west corner of Lot No. 1 in S. B. Bond's Amended subdivision, Fairfield Subd. 22 and part of Subd. 21 in the northeast ¼ of the northwest ¼ of Section 14, Township 30 North, Range 12 East in the City of Fort Wayne, Allen County, Indiana, thence north along the west line of Lot No. 1 and No. 2 in said S. B. Bond's Amended subdivision a distance of 120.0 feet, thence south of a right angle to said line a distance of 12 feet; thence south of a right angle with the last described line and parallel with the first described line to a point 12 feet west of the south-west corner of said Lot No. 1 in S. B. Bond's Amended Subdivision; thence east 12 feet to the point of beginning.

SECTION 2. After passage of this Ordinance, approval by the Mayor, and final subdivision a duly certified copy of this Ordinance, of the recommendations of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after

NOTARY'S AFFIDAVIT

I, _____, of the County of _____, State of _____, do hereby certify that:

_____ appeared before me, a notary public in and for said county and state, the

designated _____ A. M. Hostman _____ who, being duly sworn, says

that she is _____ Clerk _____ of the

NEWS-SENT INEL

a _____ DAILY _____ newspaper of general circulation printed and published

in the English language in the City of _____ FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy,

which was duly published in said paper for _____ 2 _____ times _____, the dates of publication being

as follows:

June 28, 1971

July 5, 1971

Subscribed and sworn to before me this _____ 10th _____ day of _____ July _____, 19 _____ 71

_____ A. M. Hostman _____

_____ Edith Stapleton _____

My commission expires _____ March 8, 1974 _____

Notary Public

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date July 10, 1971

Title H. Owen
 CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILL DOWNEY H. OWEN who, being duly sworn, says that she is CLERK of the _____

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of PORT WAYNE, INDIANA in State and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 5, the dates of publication being as follows:

June 28, 1971

July 5, 1971

Subscribed and sworn to before me this 10th day of July, 1971

My commission expires March 8, 1974

My commission expires March 8, 1974

Legal Notices

Notice is hereby given that on the 22nd day of June, 1971, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following General ordinance, to-wit:

GENERAL ORDINANCE NO. G-116-71
AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a public alley in S. B. Bond's

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A petition for the vacation of a public alley by DUEMLING MEDICAL BUILDING, INC., having been filed with the Fort Wayne City Plan Commission, and a resolution having been duly adopted by the Fort Wayne City Plan Commission on March 22, 1971

following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the

State of Indiana (Burns Ind. Statutes, 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne.

On November 26, 1963, is amended by deleting the following public alley in Fort Wayne, Allen County, Indiana, to-wit:

Bond's Amended subdivision, Fairfield Outlot 22 and part of Outlot 21 in the northeast $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of Section 14, Township 30 North, Range 12 East in the City of Fort

Wayne, Allen County, Indiana; thence north along the west line of Lots No. 1 and No. 2 in said S. B. Bond's Amended Subdivision a distance of 120.0 feet; thence west at a right

angle to said line a distance of 12 feet; thence south at a right angle with the last described line and parallel with the first described line to a point 12 feet west of the southwest corner of said lot No. 3 in S. R.

SECTION 2. After passage of this Ordinance, approval by the Mayor, and

legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Read the third time in full and on motion by Tipton seconded by Robinson and duly adopted, placed on its passage. Passed by the following vote:

Adams, Dunifon, Fay, Geake, Nuchols,
Robinson, Rousseau, Stelgerwald, Tipton.
Nays none
Fuod G. Bonahoam, City Clerk.

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-116-71 on the 22nd day of June, 1971.

Fuad G. Bonahoom, City Clerk.
Phil A. Steigerwald, Presiding Officer.
Presented by me to the Mayor of the
City of Fort Wayne, Indiana, on the 23rd
day of June, 1971 at the hour of 8:30

Approved and signed by me this 24th
day of June, 1971 at the hour of 10:32
a'clock A.M., E.S.T.

I, Fuad G. Bonohoom, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true, and complete copy of General

Ordinance No. G-116-71 passed by the Common Council on the 22nd day of June 1971, and that said Ordinance was duly signed, and approved by the Mayor on the 24th day of June, 1971, and now remains on file and is intended to be

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 24th day of June, 1977.

6-28-75.

Common Council City of Ft. Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

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107
1
108

COMPUTATION OF CHARGES

108 lines.....columns wide equals.....equivalent lines at 288¢
cents per line \$31.10

Additional charge for notices containing rule or tabular work (50 per cent of above amount) _____

Charge for extra proofs of publication (50 cents for each proof in excess of two) _____

TOTAL AMOUNT OF CLAIM

\$31.10

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ pointNumber of insertions 2Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date July 10, 1971

Title CLERK

Legal Notices

Notice is hereby given that on the 22nd day of June, 1971, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following General Ordinance, to-wit:

Bill No. C-71642
GENERAL ORDINANCE NO. G-11671
AN ORDINANCE amending General Ordinance No. G-67 by authorizing the appointment of a public utility in S. B. 6, Amended Subdivision.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A petition for the vacation of a public utility by QUESLING MEDICAL BUILDING, INC., having been filed with the Fort Wayne City Planning Commission, and a resolution having duly adopted by the Fort Wayne City Planning Commission on June 1, 1971 following a public hearing thereon, all in accordance with Section 44, Chapter 104 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Statutes, 1963 Replenishment, sec. 42-14), the Board of Public Works of the City of Fort Wayne, Allen County, Indiana, do hereby Ordinance No. G-67 adopted by the Common Council of the City of Fort Wayne on November 24, 1964, is amended by deleting the following public utility in Fort Wayne, Allen County, Indiana, to-wit:

Commencing at a point on the southwest corner of Lot No. 1 in S. B. 6, Amended Subdivision, Four-

field Outlot 22 and part of Outlot 21 in the northeast ¼ of the northwest ¼ of the section 16, of the northwest ¼ of Range 12 East in the City of Fort Wayne, Allen County, Indiana, hence north along the west line of Lots No. 1 and No. 2 in said S. B. 6, Amended Subdivision a distance of 12.0 feet, thence west of a right angle to said line a distance of 12 feet thence south of a right angle with the last described line and parallel with the first described line to point 12 the west corner of the southwest corner of said Lot No. 1 in S. B. 6, Amended Subdivision, thence east 12 feet to the point of beginning.

SECTION 2. After passage of this Ordinance, approved by the Mayor, and read publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Planning Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor, Herbert G. Tabor, Councilman.

Read the third time in full and on motion, by Tabor, seconded by Robinson, the Ordinance passed on its passage.

Passed by the following vote:

Yeas none

Adams, Dunton, Fay, Goeke, Nichols, Robinson, Rounsaville, Siegenfeld, Tabor, Nays none

Fred G. Bonehoon, City Clerk.

Dated 6-22-71.

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, on June 1, 1971.

ATTEST: Fred G. Bonehoon, City Clerk.

Phil A. Siegenfeld, Presiding Officer.

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 22nd day of June, 1971, at the hour of 10:30 a.m., E.S.T.

Fred G. Bonehoon, City Clerk.

Approved and signed by me this 22nd day of June, 1971, at the hour of 10:32 a.m., E.S.T.

I, Fred G. Bonehoon, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true, and complete copy of General Ordinance No. G-11671 passed by the Common Council on the 22nd day of June, 1971, and that said Ordinance was duly published.

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLANOWALEX H. OWEN who, being duly sworn, says that he is _____ CLERK _____ of the _____ JOURNAL-GAZETTE _____

a DAILY newspaper of general circulation printed and published in the English language in the city } of FORT WAYNE, INDIANA }
in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time \$, the dates of publication being as follows:

June 28, 1971July 5, 1971

Subscribed and sworn to before me this 10th day of July, 1971
Edith Stapleton
Notary Public

My commission expires March 8, 1974